

1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
3	BRANDON KELLERMEIER,	Case No. 2:19-cv-01370-JAD-DJA
4		Plaintiff
5	v.	ORDER
6	STATE OF NEVADA et al.,	
7		Defendants
8		

9 **I. DISCUSSION**

10 Plaintiff, who is an inmate housed at the Clark County Detention Center ("CCDC"),
11 has filed an application to proceed *in forma pauperis* but has not filed a complaint in this
12 matter. (ECF No. 1).

13 Pursuant to Federal Rule of Civil Procedure 3, "[a] civil action is commenced by
14 filing a complaint with the court." Fed. R. Civ. P. 3. The Court grants Plaintiff thirty (30)
15 days from the date of this order to submit a complaint to this Court.

16 Additionally, Plaintiff's application to proceed *in forma pauperis* is incomplete.
17 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an
18 application to proceed *in forma pauperis* and attach both an inmate account statement
19 for the past six months and a properly executed financial certificate. Plaintiff has not
20 submitted a properly executed financial certificate or an inmate account statement. (See
21 ECF No. 1). As such, the *in forma pauperis* application is denied without prejudice.
22 Plaintiff will be granted an opportunity to cure the deficiencies of his application to proceed
23 *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff
24 chooses to file a new application to proceed *in forma pauperis* he must file a fully complete
25 application to proceed *in forma pauperis*.

26 **II. CONCLUSION**

27 For the foregoing reasons, IT IS ORDERED that Plaintiff will submit a complaint to
28 this Court within thirty (30) days from the date of this order.

1 IT IS FURTHER ORDERED that the Clerk of the Court will send to Plaintiff the
2 approved form for filing a 42 U.S.C. § 1983 complaint and instructions for the same.

3 IT IS FURTHER ORDERED that Plaintiff's application to proceed *in forma pauperis*
4 (ECF No. 1) is DENIED without prejudice to file a new application.

5 IT IS FURTHER ORDERED that the Clerk of the Court WILL SEND Plaintiff the
6 approved form application to proceed *in forma pauperis* by a prisoner, as well as the
7 document entitled information and instructions for filing an *in forma pauperis* application.

8 IT IS FURTHER ORDERED that within thirty (30) days from the date of this order,
9 Plaintiff will either: (1) file a fully complete application to proceed *in forma pauperis*, on
10 the correct form with complete financial attachments in compliance with 28 U.S.C. §
11 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing
12 fee and the \$50 administrative fee).

13 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
14 dismissal of this action may result.

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16 DATED THIS 12th day of August 2019.

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19 UNITED STATES MAGISTRATE JUDGE
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